

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

JULIO ESCOLONA

Plaintiff,

VS.

RYAN COLLIER, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:20-CV-290

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation (M&R). (D.E. 18). The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at \*1 (S.D. Tex. June 18, 2015).

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety (D.E. 18). Accordingly, the Court **ORDERS**:

- (1) Plaintiff's First Amendment claims against Defendants Ryan Collier and C.F. Hazlewood in their individual and official capacities are retained.

(2) **Defendants J. Gaona and V.A. Crittenden** are **DISMISSED** from this action. The Clerk of Court is **ORDERED** to **TERMINATE Defendant J. Gaona and Defendant V.A. Crittenden** from the docket sheet.

(3) Plaintiff's First Amendment claims against the Texas Department of Criminal Justice are **DISMISSED with prejudice** as barred by the Eleventh Amendment.

SO ORDERED.

  
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DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas  
March 2, 2021